

Message

**From:** Starfield, Lawrence [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=8A89D6CD217D4254A5879ABECB3F314E-STARFIELD, LAWRENCE]  
**Sent:** 12/11/2020 11:24:22 PM  
**To:** Fugh, Justina [Fugh.Justina@epa.gov]  
**Subject:** RE: an ethics reminder about FAREWELL parties

Thanks, *Ethics Elf*. Very timely and very helpful advice.

Hope all is well with you and yours.

Larry

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**From:** Fugh, Justina <Fugh.Justina@epa.gov>  
**Sent:** Thursday, December 10, 2020 5:02 PM  
**To:** All National Ethics Officials <All\_National\_Ethics\_Officials@epa.gov>  
**Subject:** an ethics reminder about FAREWELL parties

Dear Ethics Colleagues –

Once upon a time, there was a hard-working ethics elf who was asked about rules for farewell parties. Hoping that she might at last be invited to a party ... *oh, wait, that's the Cinderella elf's lament, not the ethics elf ... never mind. Back to our story.* The people asked about farewell parties – virtual or otherwise -- for departing political leaders as well as retiring senior career people. Are there any restrictions on how much employees could contribute to gifts for these parties? The ethics elf thought about this and said:

FAREWELL PARTIES	ETHICS ANSWER
Contributions for a gift	Because the honoree is leaving EPA, the usual \$10 cap on gifts between employees is lifted. Provided that the contribution is voluntary (not coerced), and the request to donate does not come from a supervisor, then employees may contribute any amount and the honoree may accept the gift.
Contributions for food (if in-person event is held)	Employees can contribute voluntarily for food and refreshments to be shared among other employees in the office.

And then people wondered whether they could invite non-federal individuals to the party and, if so, whether those people could contribute to the gift or make other presentations. The ethics elf sighed, knowing that EPA employees can neither solicit nor accept any gift given because of their official position or from a prohibited source. So she said:

CAN NON-FEDS GIVE MONETARY CONTRIBUTIONS TO:	ETHICS ANSWER
A political appointee who is still employed at EPA?	Please don't. Political appointees signed the Trump ethics

	pledge and can't accept any gift of any amount from any federally registered lobbyist. Don't accept any monetary contributions for political appointees at all.
A career employee who is still employed at EPA?	We really can't solicit gifts so please don't. But if they voluntarily wish to contribute and insist, then don't accept a monetary amount over \$20.
<b>CAN NON-FEDS GIVE PRESENTATION PLAQUES TO:</b>	<b>ETHICS ANSWER</b>
A political appointee who is still employed at EPA?	Yes, provided that the item is for presentation only and has no intrinsic value. It has to be just a plaque or certificate and can't have some other use like a picture, book or clock. This answer is the same even if the donor is a federally registered lobbyist.
A career employee who is still employed at EPA?	Yes, provided that the item is for presentation only and has no intrinsic value. It has to be just a plaque or certificate and can't have some other use like a picture, book or clock.
<b>CAN NON-FEDS GIVE TANGIBLE GIFTS TO:</b>	<b>ETHICS ANSWER</b>
A political appointee after the end of the Administration in which s/he served?	The usual limit of \$20 for gifts and the zero-tolerance lobbying gift ban no longer apply after the political appointee leaves federal service. The ethics elf has no objection if non-feds send a gift directly (at their own expense) to the former political appointee after departure.
A career employee after departure or retirement from EPA?	The usual limit of \$20 no longer applies after the person leaves federal service. The ethics elf has no objection if non-feds send a gift directly (at their expense) to the former employee after departure or retirement.  The ethics elf has no objection if the non-fed sends a gift directly to the former political appointee after departure. Please don't put EPA in the position of being the courier service between the non-fed and the former employee.

Then people told the ethics elf that their honoree had a very favorite charity and wondered if they could collect monetary contributions for that cause. The ethics elf, aghast at the idea of upsetting the CFC Juggernaut, said:

<b>CONTRIBUTIONS TO A CHARITY?</b>	<b>ETHICS ANSWER</b>
Employees want to specify a charity	No. You can say that the contributions will be given to the honoree, who will then give it to his or her favorite charity. Avoid naming the charity, please, and certainly do not include a link to its fundraising sites.  The CFC Juggernaut has an absolute monopoly on raising monetary contributions in the federal workplace. Please do not disturb it.

But what if, people wondered, they couldn't get their acts together before the career honoree left and instead wanted to have a party afterwards? The ethics elf sighed and said:

<b>PARTIES AFTER THE DEPARTURE DATE</b>	<b>ETHICS ANSWER</b>
For career employees	• Usual gift limit of \$10 between employees is lifted

	<ul style="list-style-type: none"> <li>• Still can't coerce donations</li> <li>• Still can't solicit for a specified charity</li> <li>• But now the former employee is no longer bound by the \$20 limit on gifts from non-feds</li> </ul>
For political appointees	<ul style="list-style-type: none"> <li>• Usual gift limit of \$10 between employees is lifted</li> <li>• Still can't coerce donations</li> <li>• Still can't solicit for a specified charity</li> <li>• But now the former political employee is no longer bound by the \$20 limit on gifts from non-feds or the \$0 limit on gifts from lobbyists</li> </ul>

Then people asked if they could serve alcohol at in-person parties (if they were held on federal property), and ethics elf, who doesn't herself drink at all and started to wonder about what her fellow elves were putting in their hot toddies, said:

IF YOU WANT TO SERVE ALCOHOL ...
Then you need to first obtain a waiver from the facilities office. The reason is that, under GSA property rules, you can't consume alcohol on federal property, so you need a waiver. EPA policy requires that a senior official sign the request and name a responsible person to ensure that the attendees behave responsibly. You have to post the approved waiver in the room where the alcohol is being served.

The now exhausted ethics elf realizes that she needs a warm winter's nap, so is sending this story out to her ethics colleagues so that they can share it with their employees who might want to know.

THE END.